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19 *Attorneys for Plaintiff Jeremy Phillip Puckett*

20 UNITED STATES DISTRICT COURT

21 FOR THE EASTERN DISTRICT OF CALIFORNIA

22 JEREMY PHILLIP PUCKETT,

23 Plaintiff,

24 v.

25 COUNTY OF SACRAMENTO, *et al.*,

26 Defendants.

No. 2:22-cv-0350 KJM DB

**JOINT STIPULATION AND
ORDER REGARDING
PLAINTIFF'S MOTIONS TO
COMPEL**

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Plaintiff Jeremy Puckett (“Plaintiff”) and Defendants County of Sacramento (“County”),
3 Sacramento County District Attorney’s Office (“DA’s Office” or “DA”) and Sacramento County
4 Sheriff’s Office (“Sheriff’s Office” or “SO” and together with DA’s Office and County, the
5 “Entity Defendants”), by and through their undersigned counsel, jointly stipulate and agree as
6 follows:

7 1. On September 8, 2023, Plaintiff served Notices of 30(b)(6) Depositions on each
8 Entity Defendant (“Deposition Notices” or “Notices”) seeking testimony on topics relevant and
9 proportional to Plaintiff’s claims (“Topics”).

10 2. On October 11, 2023, Entity Defendants served responses to the Deposition
11 Notices in which they asserted objections to the Notices and declined to produce a witness to
12 testify as to any Topic Plaintiff propounded based on the objections.

13 3. On March 22, 2024, Plaintiff filed a Motion to Compel 30(b)(6) Depositions of
14 Defendants Sacramento County District Attorney’s Office and Sacramento County Sheriff’s
15 Office (“DA and SO Motion”), seeking to compel 30(b)(6) witnesses to testify on Topics 12, 16-
16 20, 22-23, and 25 to DA’s Office (“DA’s Office Motion Topics”) and Topics 14-22 to Sheriff’s
17 Office (“Sheriff’s Office Motion Topics”). Plaintiff noticed a hearing on this motion for April
18 12, 2024 at 10:00 AM in Courtroom 27 before Magistrate Judge Deborah Barnes. Dkt. 122.

19 4. On March 29, 2024, Plaintiff filed a Motion to Compel 30(b)(6) Depositions of
20 Defendant County of Sacramento (“County Motion,” and together with the DA and SO Motion
21 the “Motions”), seeking to compel 30(b)(6) witnesses to testify on Topics 12 and 14-20 to
22 County (“County Motion Topics”). Plaintiff noticed a hearing on this motion for April 19, 2024
23 at 10:00 AM in Courtroom 27 before Magistrate Judge Deborah Barnes. Dkt. 139.

24 5. On April 4, 2024, Chief Judge Mueller issued an order denying Entity
25 Defendants’ motions for reconsideration of certain discovery orders previously issued by Judge
26 Barnes. Dkt. 150.

6. Also, on April 4, 2024, counsel for the Defendants e-mailed Plaintiff's counsel and stated that in light of Chief Judge Mueller's order issued earlier that day, the Defendants would produce a witness for each of the County Motion Topics.

7. On April 11, 2024, Entity Defendants' counsel e-mailed Plaintiff's counsel with witness designation for each of the DA's Office Motion Topics, Sheriff's Office Motion Topics, and County Motion Topics.

8. Insofar as Entity Defendants objected to the DA's Office Motion Topics, Sheriff's Office Motion Topics, and County Motion Topics, and in an effort to avoid further motion practice in light of the prior court rulings, Entity Defendants agree, under protest, to withdraw their objections to the DA's Office Motion Topics, Sheriff's Office Motion Topics, and County Motion Topics and agree they will not reassert them in attempt to limit testimony during the depositions, while intending to preserve the objections for all purposes of appeal to the greatest extent allowable. Plaintiff takes no position on Entity Defendants' desire to preserve any of their objections, and expressly reserves all of his rights.

9. Due to the parties' agreements regarding the Topics at issue in the Motions as reflected in paragraphs 3 and 4, the parties no longer believe there is a need for the Court to rule on the motions, and the parties agree not to file updated joint statements regarding the Motions.

Accordingly, the parties hereby stipulate and agree, subject to the Court's Order, that the hearings for the Motions shall be taken off calendar.

Dated: May 15, 2024

By: /s/ Harrison J. Frahn IV
HARRISON J. FRAHN IV

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Dated: May 15, 2024

By: /s/ John R. Whitefleet
JOHN R. WHITEFLEET

Attorney for the Entity Defendants

ORDER

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that:

1. Plaintiff's March 22, 2024 motion to compel (ECF No. 122) is withdrawn and the May 24, 2024 hearing is vacated; and
2. Plaintiff's March 29, 2024 motion to compel (ECF No. 139) is withdrawn and the May 31, 2024 hearing is vacated.

DATED: May 16, 2024

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE